

IN RE: ALLEGED MAHWAH  
TOXIC DUMP SITE LITIGATION

SUPERIOR COURT OF NEW JERSEY

LAW DIVISION

BERGEN COUNTY

DOCKET No. BER-L-489-08

CIVIL ACTION

**ORDER**

**FILED**

**MAR 01 2010**

**Brian R. Martinotti  
J.S.C.**

All previous Orders remain in full force and effect  
except as modified by this Order.

**THIS MATTER** having come before the Court for a Case Management Conference,  
Plaintiffs' counsel has advised that the allocation report will be received by March 5, 2010; and  
for the reasons set forth on the record,

**IT IS** on this 1st day of March, 2010,

**ORDERED,**

1. The motions to dismiss in Thompson (L-9327-09) and Brannick (L-9328-09) are  
hereby adjourned, the following schedule is hereby entered:

-Opposition to be filed April 12, 2010

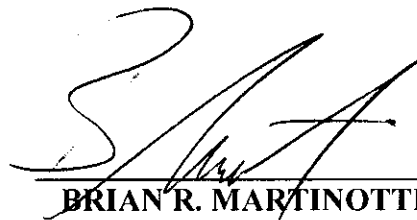
-Reply to be filed April 26, 2010

-Oral argument will be scheduled by the Court once all papers have been  
filed.

2. Counsel shall submit to the Court, a schedule of Friendly Hearings [six in the  
morning and four in the afternoon] to be heard promptly at 8:30 a.m. on the  
following days:

March 15, 16, 29, 30, 31<sup>st</sup> and April 12, 13, 14, 15 [Three days prior to each date Counsel shall submit a list of the infant Plaintiffs, a Friendly submission pursuant to R.4:48A, pre-marked exhibits, and a list of exhibits to be marked into evidence.]

3. A motion to dismiss the complaint of James H. Degroat, Sr. (Complaint #40 BER-L-9170-07) with prejudice shall be filed and will be heard on April 13, 2010 at 8:30 a.m.
4. The non-confidential settlement agreement shall be forwarded to Plaintiffs' Counsel [Thompson and Brannick] within 14 days to execution and receipt by the Borough.



**BRIAN R. MARTINOTTI, J.S.C.**